



Discussion Document

Copyright and the development and re-use of OER

Does copyright restrict access to knowledge in developing countries?

Copyright law and education

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Underlying the principle of Open Educational Resources is the fundamental belief that education and knowledge are public goods. We firmly believe that openness as a practice can change pedagogies – the manner in which learning is delivered – for the better, and that OER can deliver equal or better quality resources at a lower cost than proprietary materials. Open Textbooks, for example, have saved students over \$13 million and continue to grow in use. For Community College students in the United States where the cost of the textbook (often \$150 or more) is more than the tuition of the course (\$70 on average), open textbooks dramatically increase access. The reusable, remixable nature of OER means that OER can be continuously improved upon, which in turn can improve learning outcomes for all.

When OER began as a field, many educators were concerned about the devaluation of the educational experience if content were made openly available. What they confirmed, however, was that the value of the educational experience was not dependent on the content alone, but was evinced within the face-to-face interactions with each other as educators and in the more robust, interactive way they could interact with students. Sharing content enables a greater focus on personalized learning and on changing and sharing best teaching and learning practices.

Educators around the world have a natural propensity to collaborate. The very nature of their profession demands knowledge sharing and encourages building upon others' ideas. As Wayne Mackintosh, Director of the OER Foundation in New Zealand, aptly puts it, "Any researcher worth their salt knows that a thorough literature review of existing knowledge is the natural starting point in resolving a research question. In our research, we have no issue with sharing and building on the ideas of others, yet in our teaching there is a perception that we must lock our teaching materials behind restrictive copyright regimes that minimize sharing."

Copyright as we have traditionally understood and applied it certainly restricts access to knowledge to a privileged few. But new visions of copyright, as demonstrated by Creative Commons licenses, actually open up the possibilities for sharing knowledge and have tremendous positive implications for the field of education. Currently, materials created by educators default to an "all rights reserved" copyright, so even if an educator wanted to

contribute his or her materials to the community, it would not be of much use. Applying a global standard, open license allows educators to reuse, revise, remix, and redistribute materials without restriction, and for many, is an efficient way to access and fine-tune materials to fit their individual contexts and cultural requirements. For governments that fund development of educational resources with public funds, applying an open license allows access to a world of resources that can be easily modified, instead of purchasing proprietary materials with limited useful life or worse, requiring the development of content built from scratch. Teacher training materials developed by the Teacher Education in Sub Saharan Africa (TESSA) project, for example, are being considered for adoption by teacher training institutions beyond the current consortium membership. Should they be selected, these institutions would be able to adapt and implement a teacher training program at much less cost than developing a training program from the ground up. Course materials developed by the Commonwealth of Learning's Open Schools project were also developed collaboratively for use in five countries, at much less cost when compared to the costs of developing a set of courses for individual countries. Finally, materials can be adapted, exported, and published from WikiEducator at almost no cost, saving educators time and money usually spent on sourcing and procuring teaching materials. These are just a few examples of many OER projects that help save time and money, resources which can then be used for other classroom support instead.